



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, RR, PSF, RP, LRE, OLC, FFT

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, (the “Notice”), to be allowed to reduce rent for repairs, services or facilities agreed upon but not provided, to have the landlord provided services or facilities required by the tenancy agreement or law, To have repairs made to the unit, to suspend or set conditions on the landlord’s right to enter the rental unit , to have the landlord comply with the Act, and to recover the cost of the filing fee.

Only the landlord’s appeared. The tenant did not appear, although this matter was scheduled to be heard at their request. On April 9, 2022, the Residential Tenancy Branch also sent a notification reminder to the tenant at the email address they provided for receiving documents. The notification shows the hearing date of April 12, 2022, at 11:00 am. In addition, it further states Instructions for the proceeding were provide in the Notice of Dispute Resolution Proceeding. If you do not attend the hearing you will lose the opportunity to provide information that could impact the result. The proceeding will continue even if one party does not attend.

This matter was set for hearing by telephone conference call at 11:00 A.M on this date. The line remained open while the phone system was monitored for ten minutes and the only participant who called into the hearing during this time was the landlord. Therefore, as the tenant did not attend the hearing by 11:10 A.M, and the landlord appeared and was ready to proceed, **I dismiss the tenant’s application without leave to reapply.**

Although I note the tenant was disputing the Notice in their application; however, the landlords indicated that the rent was paid within 5 days and the Notice was automatically cancelled.

Conclusion

The tenant's application is dismissed without leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: April 13, 2022

Residential Tenancy Branch